

November 21, 2006

80-286

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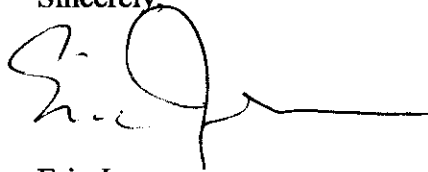
Madame Secretary
Federal Communications Commission
Washington, D.C.

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Federal Communications Commission
Office of the Secretary

I am submitting this petition by Gila River Telecommunications, Inc. pursuant to 47 C.F.R. Sections 36.3, 36.123-126, 36.152-157, and 36.372-382 for Commission Approval to Unfreeze Part 36 Category Relationships.

Please let me know the status of the petition and do not hesitate to contact me with questions about this petition or matters pertaining to Gila River Telecommunications, Incorporated or the Gila River Indian Community.

Sincerely,



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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

FILED/ACCEPTED

NOV 21 2006

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Jurisdictional Separations and Referral to the)
Federal-State Joint Board)
)
Petition by Gila River Telecommunications, Inc.)
Pursuant to 47 C.F.R. Sections 36.3, 36.123 – 126,)
36.152 – 157, and 36.372 - 382 for Commission)
Approval to Unfreeze Part 36 Category)
Relationships)

CC Docket No. 80-286

**PETITION OF GILA RIVER TELECOMMUNICATIONS, INC. TO UNFREEZE
PART 36 CATEGORY RELATIONSHIPS**

November 20, 2006

SUMMARY

Gila River Telecommunications, Inc. (GRTI) respectfully requests the Commission to *grant a waiver of 47 C.F.R. Sections Part 36.3, 36.123 – 126, 36.152 – 157, and 36.372 – 382* rules as these rules relate to frozen *category relationships only*. GRTI is not requesting a waiver of the Commission's rules to unfreeze allocation factors used in apportioning regulated investment and expenses among the jurisdictions.

In summary, GRTI requests the Commission to unfreeze GRTI's category relationships pertaining to the following plant groupings:

Account 2210 - Central Office Switching

Category 2 – Tandem Switching Equipment

Category 3 – Local Switching Equipment

Account 2230 – Circuit Equipment

Category 4 – Circuit Equipment

Subcategory 4.1 – Exchange Circuit Equipment

4.11 – Wideband Exchange Circuit Equipment

4.12 – Exchange Trunk Circuit Equipment

4.13 – Exchange Line Circuit Equipment

- State private line and state WATS
- Interstate private line and interstate WATS
- Message telephone service

Subcategory 4.2 – Interexchange Circuit Equipment

4.21 – Interexchange circuit equipment furnished to another company for IS use

4.22 – Interexchange circuit equipment used for Wideband Services including satellite and earth station equipment

4.23 – All other interexchange circuit equipment

- State private line and state WATS
- Interstate private line and interstate WATS
- Message telephone service

Subcategory 4.3 – Host/Remote Message Circuit Equipment

Account 2410 – Cable & Wire Facilities

Category 1 – Exchange Line C&WF

- Subcategory 1.1 – State private line and state WATS
- Subcategory 1.2 – Interstate private line and interstate WATS
- Subcategory 1.3 – Subscriber lines jointly used for local exchange and exchange access
- Category 2 – Wideband and Exchange Trunk C&WF
- Category 3 – Interexchange C&WF
 - Subcategory 3.1 – State private line and state WATS
 - Subcategory 3.2 – Interstate private line and interstate WATS
 - Subcategory 3.3 – Message Telephone Service
- Category 4 – Host/Remote Message C&WF

Account 6620 – Services

Telephone Operator Expenses

Published Directory Listing

Category 1 – Local Business Office Expense

- End user service order processing
- End user payment and collection
- End user billing inquiry
- Interexchange carrier service order processing
- Interexchange carrier payment and collection
- Interexchange carrier billing inquiry
- Coin collection and administration

Category 2 – Revenue Accounting Expense

- Message processing expense
 - Toll ticket processing
 - Local message processing
- Other billing and collection expense
- Carrier access charge billing and collection expense

Category 3 – All Other Customer Services Expense

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BACKGROUND

Gila River Telecommunications, Inc. (GRTI) is a rural, rate of return, independent local exchange carrier (*ILEC*) providing telecommunications services to approximately 3,500 residents and businesses located on the Gila River Indian Reservation. GRTI purchased the telecom system from U.S. West in 1989 and has been providing residents of the Gila River Indian Reservation with upgraded services ever since.

As a high cost carrier, GRTI relies heavily on settlements and revenues generated from the National Exchange Carrier Association (NECA) as well as universal service funding. Without these settlement and funding mechanisms, GRTI would not only struggle but also likely cease to operate as a viable entity. Serving a rural and under-served area, GRTI is able to provide not only basic universal telecom services to members of the Gila River Indian Reservation but also is able to provide advanced services to its members.

As a rate of return carrier and member of the NECA pools, GRTI is required to perform annual separations studies to determine its interstate revenue requirement. This cost-based revenue requirement represents the settlements that GRTI receives from NECA resulting from the preparation of jurisdictional allocation factors and components. Part of this process includes the preparation of central office and cable and wire category determinations based upon Commission rules.

On May 22, 2001 the Commission released a Report and Order mandating the “freezing” of categories and allocation factors for price cap carriers and allocation factors for rate of return carriers.¹ However, the Commission allowed a one-time option for rate of return carriers to freeze both their category relationships and allocation factors to add simplification and stability during the freeze.²

¹ CC Docket No. 80-286, “In the Matter of Jurisdictional Separations and Referral to the Federal-State Joint Board”, adopted May 11, 2001 and released May 22, 2001

² Ibid, Para 21

At the time of the Order, GRTI opted to freeze both its category relationships as well as its allocation factors for a variety of reasons, including the same reasons the Commission *was proposing*. *However, since the original freeze was going to expire no later than June 30, 2006*, GRTI relied on that timeframe to have ample time to review its network demands and make appropriate changes to coincide with technological and industry innovations. GRTI has since reviewed its network demands and now requests waiver approval from the Commission to unfreeze the category relationships that were originally frozen. GRTI's reasons are discussed in detail below.

DISCUSSION

GRTI Serves an Historically Un-served Rural Community

Gila River Indian Community (GRIC) occupies over 372,500 acres near Phoenix, Arizona. The Tribe has 18,263 enrolled members. In 1989, when the Gila River Tribe purchased the study area of the tribal territory, fewer than 10 percent of the population of GRIC had access to telephone service. Today, nearly 17 years later, the Tribe has increased service access by nearly 450 percent to serve the Community with approximately 3,500 lines.

GRTI believed the Separations Freeze would last no longer than 5 Years

In the original Order, the Commission stated, "The interim freeze will be in effect for five years or until the Commission has completed comprehensive separations reform, whichever comes first."³ GRTI relied on this statement to have the time to review its network, develop a network deployment program, and reach conclusions as to how its telecommunications infrastructure would be built out. GRTI should not be held to maintaining its previous decision to freeze categories resulting from the Commission's blanket decision to extend the separations freeze.

³ Ibid, Para 2

GRTI has made substantial and material technology, service, and investment changes that were not reflected in its 2000 frozen categories and thus GRTI needs to recover costs otherwise permitted

With the original Order, the Commission made the following conclusion:

“We conclude, furthermore, that because of their different investment and cost structure, rate of return carriers should only be *required* to freeze their jurisdictional allocation factors. We understand, however, that some rate of return carriers may prefer the added simplification and stability from a freeze of their category relationships. Based on the record before us today, we are persuaded that providing rate of return carriers with an option to freeze their category relationships as well could have benefits for some rate of return carriers.”⁴

At the time of the original Order, GRTI was in a transition period and didn’t have significant network changes. Therefore, the Commission’s option to allow and GRTI’s decision to accept the one-time option to freeze categories at that time coincided with GRTI’s mission to “stabilize and simplify the separations process” and avoid annual costly and complex analyses and reports.

However, with technology changes and increased demand for advanced services, including DSL, GRTI is now upgrading its network to be more efficient, capable, and up-to-date. Since 2004, GRTI has added over 65 miles of fiber, invested over four million dollars to increase fiber redundancy, and update central office switching and circuitry on the Reservation to make its network more broadband-capable. As modern infrastructure is essential to providing quality service and creating a reliable network, GRTI is proactively taking steps to make sure members of the Gila River Indian Community are provided with both basic and advanced services.

The Joint Board recognized that a categories freeze may have a negative impact on some rate-of-return carriers’ current universal service high cost support levels. In the Commission’s Order, they acknowledged this concern:

“The Joint Board noted that COE Category 4.13 and CW&F Category 1.3 are included in the current Universal Service High Cost Loop formula that is used for the rate-of-return

⁴ Ibid, Para 21

carriers under Part 36.⁵ The investment levels in these two categories may increase for rate-of-return carriers as new technologies are deployed, such as facilities to provide DSL services. If the category relationships are frozen at the current year level, rate-of-return carriers may not be able to recover these costs in the future through increased loop support under the Universal Service High Cost Loop formula.”⁶

Clearly, both the Commission and the Joint Board foresaw the possibility that a rate of return carrier, such as in GRTI’s circumstances, may incur significant service and plant upgrades that should be eligible for high cost support recovery.

The Commission has always supported flexibility for a carrier’s efforts to serve un-served and historically under-served communities

The Commission is guided by the Communications Act’s mandate to provide service to communities “consistent with the public interest, convenience, and necessity...” These mandates for convenience and flexibility for a carrier to serve [particularly un-served] communities enable customers to receive the parity of services enjoyed by urban and non-Indian communities. In its Order, the Commission noted:

“The Joint Board agreed with certain parties that rate-of-return carriers, whose investment patterns may fluctuate more than those of price cap carriers from year to year, will retain maximum flexibility for recovering costs from new plant investments (upgrades) by not freezing their category relationships. The Joint Board concluded that a categories freeze may harm rate-of-return carriers by limiting their ability to account for changes in investment through the separations process. In this regard, the Joint Board was concerned that a mandatory categories freeze for all rate-of-return carriers would provide disincentives for these carriers to deploy new technologies due to insufficient cost recovery.”⁷

While GRTI chose the option of freezing its categories based on the year 2000 in an effort to simplify its reporting and to support the Commission’s initiative pending regulatory reform, GRTI finds the need today to exercise cost recovery flexibility. The investment and technology that GRTI is currently and planning on deploying will have a

⁵ See 47 C.F.R. Part 36, Subpart F.

⁶ CC Docket No. 80-286, “In the Matter of Jurisdictional Separations and Referral to the Federal-State Joint Board”, adopted May 11, 2001 and released May 22, 2001, para 19

⁷ Ibid, para 18

significant impact on separations categories in GRTI's cost of service study to be filed with NECA as well as GRTI's universal service high cost support levels. Because the Commission has consistently supported rule changes that allow maximum flexibility for carriers to deploy their networks, the Commission should support GRTI's effort to expand services and recover the cost of its investments. Failure to support flexibility for cost recovery by GRTI will limit their capacity to account for changes in investment through the separations process and hamper their efforts to deploy new technologies.

The public interest principles of the Communications Act compels the Commission to support GRTI's efforts to enhance services and provide new technology to existing customers as well as to un-served and historically under-served areas on the Indian Reservation

In its January, 2006 General Accounting Office report to Congress, *Challenges to Assessing and Improving Telecommunications for Native Americans on Tribal Lands*, GAO-06-513T, the GAO found that telephone subscribership for Native American households continues to be substantially below the national level (69 percent in tribal communities compared to 98 percent nationwide).

The Communications Act has mandated support for telecommunications carriers through the universal service system, defined as: "an evolving level of telecommunications services that the Commission shall establish periodically under this section, taking into account advances in telecommunications and information technologies and services."⁸ The Joint Board and the FCC "shall base policies for the preservation and advancement of universal services" on several enumerated principles, including access to advanced services, access in rural and high cost areas, and on "such other principles as necessary and appropriate for the protection of the public interest, convenience, and necessity."⁹

Since its inception, GRTI has dedicated its efforts to improving the tribal telecom network to bring not only basic service to un-served and under-served areas, but also to bring advanced services such as broadband, DSL, and fiber connectivity to members and

⁸ Section 254(c)(1)

⁹ Section 254(b)

residents of the Gila River Indian Reservation. The Commission recognizes that the telecommunications penetration rate on many tribal lands falls far below the national average.¹⁰ The Commission also states, “Our Commission is working hard to promote *the availability of telecommunications services to individuals on tribal lands.*”¹¹

GRTI is diligently working to make sure all customers on the Gila River Indian Reservation receive comprehensive service. In 1989, Gila River was practically an unserved area at the time the Tribe purchased the service area, with less than 10 percent of the tribe receiving telecommunications service. Today, the tribe has not only increased service access by over 450 percent to tribal members and businesses, but it also has provided advanced technology service comparable to urban communities. But the more compelling story is how the tribe is now connecting families that heretofore could not afford telecommunications service. Since 2000, GRTI has extended service to nearly 1,000 tribal customers who could not afford phone service on their own, but now are connected through GRTI’s Lifeline and Linkup program.

For the future, GRTI will be providing critical support for the Tribe’s plans to increase infrastructure and government service to the community. Critical government support affects the future of the tribal community. In the educational arena, Tribal elders estimate that over 80 percent of Gila River Indian Community’s population is less than 25 years old. In order to support the educational reforms on the reservation and to bring tribal youth back to the reservation, GRTI must be able to provide the community with the most up-to-date technology services and tools to help tribal youth succeed on the reservation. In addition, the Gila River community is planning future Boys and Girls clubs to meet the recreational and social needs of youth on the reservation. Finally, tribal adults are also returning to school. Recent data shows that 469 community members have returned to college or vocational school to finish or expand their education, annually. Therefore GRTI efforts to support new educational services and facilities are vital to the community.

¹⁰ www.fcc.gov/indians

¹¹ Ibid

GRTI is also supporting critical governmental health services through technology and telecommunications services. The GRIC is confronted with an epidemic of diabetes *among tribal members. Well over half of tribal members are diagnosed with diabetes.* Accordingly, the Tribal government has built two new dialysis facilities to meet this urgent need. In addition, the tribe is currently constructing a Residential Treatment Center for Substance Abuse located on the west end of the reservation. GRTI will provide the key infrastructure support for the deployment of these health facilities on the reservation.

However, meeting the public interest needs of and providing advanced services on a rural tribal reservation covering approximately 625 square miles is costly. Therefore, recovery of these costs is crucial for continued infrastructure development by GRTI as a rate of return carrier. GRTI relies heavily on cost recovery to build out services to un-served and under-served areas while providing the most advanced technologies to all other areas of the Gila River Indian Reservation. Indeed, the Joint Board was concerned that insufficient cost recovery would provide disincentives for carriers to deploy new technologies.¹²

More importantly to the Tribe, failure to recover costs means that fewer customers can attain the full telecommunications services enjoyed by urban and non-Indian communities. The Joint Board and the FCC should support efforts by GRTI to serve previously un-served tribal areas as a part of the Commission's mandate to protect the "public interest" while promoting "convenience and necessity" for both GRTI and tribal households.

Public Safety and Public Interest on the Gila River Reservation

As a rural community, Gila River has had to cope with the public safety challenge of linking governmental support for the tribal community spanning over 625 square miles.

¹² CC Docket No. 80-286, "In the Matter of Jurisdictional Separations and Referral to the Federal-State Joint Board", adopted May 11, 2001 and released May 22, 2001, Para 18

The tribal community's approximately 12,000 current residents are spread throughout many isolated regions on the reservation. With the recent expansion of an additional 65 *miles of fiber throughout the community, public safety support for the tribal community* has been improved. The Tribe has expanded support for the deployment of several new fire-fighting sub-stations throughout the community while upgrading medical and police response systems. On a larger scale, the tribe has entered into numerous mutual aid agreements with local police, medical and fire-fighting jurisdictions. Finally, as an important link in the strategic coordination with the Nation's Homeland Security effort, the Gila River Indian Community has become NIMS compliant at a great expense to the Tribe.

Additional public safety expansion is being planned for the Gila River community. The Tribe has committed itself to deploying E-911 GPS mapping for every residence and facility in the entire reservation to become the first community to fully implement "9GPS-based E-911." The cost for attaining this is nearly \$ 500,000. Additional funding will be required and allocated by the Tribe in order to complete the project in the near future. GRTI is providing key support for this effort.

Harm could occur to the Tribe and tribal customers if the Tribe is not permitted to recover costs commensurate with its investments and expenses

The Communications Act requires "All charges, practices, *classifications and regulations* for and in connection with such communication service, shall be just and reasonable and any such charge, practice, classification or regulation that is unjust or unreasonable is hereby declared to be unlawful."¹³

GRTI estimates that failure to approve the request to allow changes in separations categories will cause the tribe to lose upwards of \$1.2 million annually, or \$3.6 million

¹³ 47 U.S.C. Section 201(b)

over the next three-year period¹⁴, in un-recovered costs and investments. Failure to recover what would otherwise be permitted cost recoveries would put the Tribal community in an untenable position of choosing to either forgo investment in essential services to the tribal community or to recover these costs from tribal residents, many of whom are low-income (see the Commission's support of these concerns in the Sacred Wind Order's paragraph 14, DA 06-1645).

As underscored in the public interest and public safety discussions above, the Gila River Tribe has a challenging set of government and community goals ahead. The Tribe's health, social service, educational, economic, public safety, and governmental needs must be supported in the fullest capacity possible by GRTI. As GRTI is a tribal enterprise established to provide the best quality and scope of service to its tribal residents, such an annual loss of otherwise permitted cost reimbursements will materially hamper efforts to provide advanced services to the Tribe's customers as required by Section 706 and Section 254(b)(2) of the Act.

Neither the Commission nor the Joint Board meant for the interim freeze to harm or damage communities in the effort to stabilize the fund pending reform to the Separations rules. A denial of the regulatory waiver requested by GRTI would cause harm to the GRIC in the ability to serve existing customers, in the ability to build out to remaining areas of the Reservation, and by raising the prospect of having to recover costs of service from tribal customers, many of who are low-income.

Balancing the Tribe's specific needs against the Commission's effort to "stabilize and simplify separations procedures pending comprehensive separations reform"

In the Separations Freeze Order, the Commission stated: "The Joint Board recommended that, for five years or until such time as comprehensive reform of separations can be implemented, the Commission should institute an *interim freeze* of the Part 36 category

¹⁴ CC Docket No. 80-286, "In the Matter of Jurisdictional Separations and Referral to the Federal-State Joint Board", Order and Further Notice of Proposed Rulemaking, released May 16, 2006, paragraph 16

relationships and jurisdictional allocation factors.”¹⁵ The Commission also stated the purpose of the Order was to “provide stability and simplification for the separations process pending comprehensive reform.”¹⁶ Accordingly, GRTI aligned its cost study practices to coincide with the Order to simplify and stabilize its processes. In the Order, the Commission recognized the potential harm to smaller carriers by instituting a mandatory category freeze, as follows: “If the category relationships are frozen at the current year level, rate-of-return carriers may not be able to recover these costs in the future through increased loop support under the Universal Service High Cost Loop formula.”¹⁷

The need of the Commission to stabilize the Part 36 Separations system - with an additional extension of the current separations freeze - should be balanced against the irreparable harm to GRTI, an entity of the Gila River Indian Community, of losing \$1.2 million annually until the Commission addresses comprehensive Separations reform. On the other hand, the convenience for carriers that have elected to retain their frozen 2000 Cost Separations categories coupled with the stability brought to the system pending comprehensive reforms will not be prejudiced by GRTI’s request to unfreeze its cost categories to recover permitted expenditures.

The Commission Should Employ Every Regulatory Measure to Address the Special Circumstances and Needs of Sovereign Indian Nations

Even if the Commission feels compelled to keep carriers in the extended Separations freeze as a matter of practicality, the Commission should acknowledge the unique nature and circumstances of tribal communities in the Nation. The Congress and the Commission have acknowledged the special circumstances, reinforced by the recent General Accounting Office’s report to Congress, of tribal communities by both their trust

¹⁵ CC Docket No. 80-286, “In the Matter of Jurisdictional Separations and Referral to the Federal-State Joint Board”, adopted May 11, 2001 and released May 22, 2001, Para 10

¹⁶ Ibid

¹⁷ Ibid, para 19

status under law and by token of these communities being the least connected communities in America.

In the Sacred Winds Order, DA 06-1645, referencing the Commission's Twelfth Report and Order, the Commission asserts: "The Commission has recognized that Native American communities have the lowest reported level of telephone subscribership in America." (Paragraph 9) In the Sacred Wind Order, and in the Mescalero Order (CC Docket No. 96-45, FCC 01-13 & DA 01-129), the Commission underscored the importance of supporting carrier efforts to reach un-served and under-served areas (paragraph 14, Sacred Winds), and "bring basic and advanced services comparable to those found in urban areas" to the tribal community. (Paragraph 14)

In both the Mescalero and Sacred Wind Orders, the Commission took further note of the special circumstances of the tribal communities. In paragraph 14 of the Sacred Wind Order, the Commission stated: "We find that *special circumstances* warrant a deviation from sections 36.611 and 36.612 of the Commission's rules, and that it is in the public interest to grant Sacred Wind's waiver request so that it may receive immediate high-cost loop support." The Commission found similar special circumstances in granting waivers to Mescalero Apache Telecom, Inc.

The GRIC faced similar circumstances to the Mescalero and Navajo communities at the startup of GRTI. While pioneering efforts and dramatic strides have been made at Gila River to attack under-service in its community, the tribal government is dedicating further effort to attain full service and advanced technology parity with the urban communities of America. Beyond service parity, a fundamental challenge for GRTI is to provide these services and technologies at affordable cost to community residents or at comparable cost to urban communities. Failure to permit cost recoveries would either cause these essential investments to be postponed or cause costs to be recovered from customers at a disproportionate rate than in urban communities. (Low income customers would not likely be able to afford advanced services or even elevated basic service rates).

Public interest, public policy and the Commission's own Indian Trust Policy requires the Commission to make every effort and employ every regulatory tool possible to support GRIC's efforts to attain full access to advanced communications services for all residents. Taking into consideration the totality of special circumstances of tribal communities and the needs of the GRIC, the Commission should strengthen the flexibility of options to make investment and service decisions to support GRTI's mission as a carrier of last resort to serve its remote high cost community.

Impact on the Universal Service Fund

An important consideration for the Commission's decisions on petitions regarding cost reimbursements rests with the potential impact on the Universal Service Fund. In the Commission's Sacred Wind Order, DA 06-1645, the Commission stated: "The Commission began applying the one-percent guideline in 1995 to limit the potential adverse impact of exchange sales on the overall fund, also recognizing that, because high-cost loop support is capped, an increase in the draw of any fund recipient necessarily reduces the amounts that other LECs receive from the fund."¹⁸ After the Commission adopted section 54.305, it continued to apply the one-percent guideline to determine the impact on the universal service fund in light of the adoption of safety valve support and ICLS." (Paragraph 7)

The potential impact of permitting GRTI to unfreeze its cost categories is estimated at \$1.2 million annually. This falls far below the one-percent guideline referenced by the Commission. Therefore, the approval for GRTI's petition to return to a regulatory cost recovery level playing field will have minimal impact on the Universal Service Fund.

Waiver of the Part 36 Freeze

47 C.F.R Section 1.3 states, "The provisions of this chapter may be suspended, revoked, amended, or waived for good cause shown, in whole or in part, at any time by the

¹⁸ See *PTI/Eagle Order*, 10 FCC Rcd at 1773, para. 13.

Commission, subject to the provisions of the Administrative Procedure Act and the provisions of this chapter. Any provision of the rules may be waived by the Commission on its own motion or on petition if good cause therefore is shown.”¹⁹

In the Sacred Winds Order, the Commission further defines the general guidelines for waiver of FCC regulations:

“Generally, the Commission may waive its rules for good cause shown. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. Waiver of the Commission’s rules is therefore appropriate only if special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.” (Paragraph 4)

GRTI believes special circumstances, as outlined above, as well as public interest warrant a waiver from the Commission to unfreeze GRTI’s Part 36 category relationships.

Requested Effective Date

The Commission notes, “The freeze will be in effect for five years from July 1, 2001, to June 30, 2006, or until the Commission has completed comprehensive reform of the Part 36 separations rules, whichever comes first.”²⁰ As GRTI continues to build out its network to meet customer demands, coincide with Commission initiatives, and invest in technological innovations, GRTI respectfully requests that this waiver be effective as of June 30, 2006. This timeframe reflects the end of the initial 5-year freeze (and will not have any adverse affect on NECA pooling aspects while allowing GRTI to recover costs through increased loop support under the universal service high cost loop formula).

CONCLUSION

GRTI is committed to providing telecommunications service to the residents and businesses of the Gila River Indian Community. GRTI believes public interest

¹⁹ 47 CFR Section 1.3

²⁰ CC Docket No. 80-286, “In the Matter of Jurisdictional Separations and Referral to the Federal-State Joint Board”, adopted May 11, 2001 and released May 22, 2001, Para 9

considerations will be accelerated with the waiver approval requested herein. For the reasons aforementioned, GRTI requests Commission approval of its waiver to unfreeze Part 36 category relationships.

Respectfully Submitted,

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